1 ADRIENNE C. PUBLICOVER (SBN 161432) Email: Adrienne.Publicover@WilsonElser.com 2 DENNIS J. RHODES (168417) Email: <u>Dennis.Rhodes@WilsonElser.com</u> SHEENA V. JAIN (SBN 251912) 3 Email: Sheena.Jain@WilsonElser.com WILSON, ELSER, MOSKOWITZ, 4 EDELMAN & DICKER LLP 525 Market Street, 17th Floor 5 San Francisco, CA 94105-2725 Tel.: (415) 433-0990 / Fax: (415) 434-1370 6 7 Attorneys for Defendants RELIANCE STANDARD LIFE INSURANCE COMPANY 8 and THE GENENTECH, INC., LONG TERM DISABILITY INSURANCE PLAN 9 SCOTT KALKIN (SBN 120791) ROBOOSTOFF & KALKIN 10 A Professional Law Corporation 11 369 Pine Street, Suite 610 San Francisco, CA 94104 Tel: (415) 732-0282 / Fax: (415) 732-0287 12 Attorneys for Plaintiff 13 ISELA DIMERY 14 IN THE UNITED STATES DISTRICT COURT 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA 16 17 ISELA DIMERY, Case No.: CV10-00481 JSW 18 Plaintiff, STIPULATION TO CONTINUE BRIEFING 19 SCHEDULING AND HEARING DATE OF 20 PARTIES CROSS-MOTIONS FOR VS. SUMMARY JUDGMENT FOR TWO WEEKS AND (PROPOSED) ORDER 21 RELIANCE STANDARD LIFE INSURANCE COMPANY AS THEREON ADMINISTRATOR AND FIDUCIARY OF 22 THE GENENTECH, INC., LONG TERM DISABILITY INSURANCE PLAN AND 23 THE GENENTECH, INC., LONG TERM DISABILITY INSURANCE PLAN. 24 Defendants. 25 26 IT IS HEREBY STIPULATED, pursuant to Local Rule 7-12, by and between Plaintiff 27 Isela Dimery and Defendants, through their attorneys of record, that the briefing schedule and 28 STIPULATION TO CONTINUE BRIEFING SCHEDULING AND HEARING DATE OF PARTIES CROSS-MOTIONS FOR SUMMARY JUDGMENT FOR TWO WEEKS AND [PROPOSED] ORDER

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Case3:10-cv-00481-JSW Document 42 Filed 04/08/11 Page 2206 f3 hearing date of the Parties' cross-motions for summary judgment be continued for good cause as 1 follows: 2 Plaintiff filed her opening brief on April 1, 2011 per the current schedule. Defendants 3 opposition and cross-motion is currently due on April 15, 2011. Counsel for Defendants needs 4 additional time to prepare the opposition and cross-motion due to three new matters that have been 5 added to his caseload in the last two weeks which have required Defendant's counsel's immediate 6 attention. Therefore, having conferred on the issue, the Parties request that the Court issue an 7 order continuing the hearing of the cross-motions for summary judgment from June 3, 2011 to 8 June 17, 2011, or to a date as soon thereafter as accommodates the Court. Defendant's Opposition and Cross-motion shall be due to be served and filed on April 29, 2011. Plaintiff's Opposition and 10 Reply will be due May 13, 2011. Defendants' Reply will be due May 20, 2011. 11 RESPECTFULLY SUBMITTED: 12 13 Dated: April 8, 2011 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP 14 15 /s/Dennis J. Rhodes 16 Adrienne Publicover Dennis J. Rhodes 17 Attorneys for Defendants RELIANCE STANDARD LIFE INSURANCE 18 COMPANY and THE GENENTECH, INC., LONG TERM DISABILITY INSURANCE PLAN 19 20 Dated: April 8, 2011 ROBOOSTOFF & KALKIN 21 By: /s/ Scott D. Kalkin Scott D. Kalkin 22 Attorneys for Plaintiff ISELA DIMERY 23 24 **ORDER** 25

Pursuant to the stipulation of the Parties, the hearing of the Parties' cross-motions for summary judgment is continued from June 3 to June 17, 2011. Defendant's Opposition and Cross-

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Case 3::10-cv-00481-JSW Document 42 Filed 04/08/11 Page 33 of 53 motion shall be due to be served and filed on April 29, 2011. Plaintiff's Opposition and Reply will be due May 13, 2011. Defendants' Reply will be due May 20, 2011. IT IS SO ORDERED. Date: April 8, 2011